

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF OREGON  
PORTLAND DIVISION

DAN-BUNKERING (MIDDLE EAST)  
DMCC,

Case No. 3:20-cv-00522-MO

Plaintiff,

v.

***EX PARTE* ORDER APPOINTING  
CASCADE MARINE AGENCIES, LTD.  
AS SUBSTITUTE CUSTODIAN**

M/V OLYMPIC PROGRESS, IMO No.  
9513854, its engines, tackle, and apparel,  
*in rem*,

Defendant.

Upon the Motion of Plaintiff, Dan-Bunkering (Middle East) DMCC for the appointment of a Substitute Custodian for the M/V OLYMPIC PROGRESS, IMO 9513854 ("Vessel") in lieu of the United States Marshal in this case, and good cause appearing therefore, it is hereby:

ORDERED that the Plaintiff's Motion is granted, and the United States Marshal shall transfer custody of the Vessel, immediately following her arrest to the custody of the substitute custodian, Cascade Marine Agencies, Ltd. ("CMA"); and it is further

ORDERED that upon transfer of the Vessel to the substitute custodian, the aforesaid substitute custodian shall be appointed to act as substitute custodian of the Vessel during *custodia legis* on behalf of this Court, in place and instead of the United States Marshal, until written notice

of release has been given by the Plaintiff to the United States Marshal or has been ordered by this Court; and it is further

ORDERED that upon transfer of the Vessel to the substitute custodian by the United States Marshal, the United States Marshal shall not be liable for any loss occurring while she remains in the custody of the substitute custodian; and it is further

ORDERED that after the Vessel is arrested and attached, the substitute custodian shall cause and be responsible to have the Vessel remain at an appropriate berth and/or anchorage within the District of Oregon; and it is further

ORDERED that during *custodia legis*, the substitute custodian will permit the Vessel to undergo normal cargo operations, both loading and discharge, shift berths within the District of Oregon, and/or undergo repairs, but always at the risk and expense of the Vessel's interests, and always remaining within the District.

IT IS SO ORDERED

DATED this 1 day of April, 2020.

*Michael W. Mosman*  
MICHAEL W. MOSMAN  
United States District Judge